VIRGINIA GAZETTE, AND GEN^L. ADVERTISER.

RICHMOND—PRINTED (EVERY WEDNESDAY AND SATURDAY) BY AUGUSTINE DAVIS—AT FIVE DOLLARS PER ANNUM, PAID IN ADVANCE.

NUMBER 1325.] SATURDAY, JUNE 22, 1805. [VOLUME XIX.

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FOR CHERBOURG,

The copper bottom'd SHIP

MARTHA,

Captain PETRIE,

Burthen about 650 Hhds. having two thirds her cargo now engaged—is expected to sail by the 15th July, and will take 100 *a* 150 Hhds. Tobacco on a moderate freight.—For terms apply to

JOHN NEWELL, Jun. Norfolk;

OR,

BROWN, RIVES & Co.

Richmond, 1st June, 1805. 4w

PRECIPITATE.

IMPORTED by Mr. Lightfoot, of Sandy Point, laſtwinter, full 5 hands and a half high, will ſtand at my ſtable in Cheſterfield county, Appomattox River, 15 miles above Peterſburg, to be let to mares at Ten Guineas a mare, two of which will be remitted, if paid within the ſeaſon, which will commence the tenth of March, and expire the firſt of Auguſt next. Board of ſervants, *gratis;* mares may be fed at two ſhillings per day. I have large and extenſive paſturage, divided in five different incloſures, that mares with foal may be kept diſtinct from barren mares. One dollar to the groom. No liability for accidents of any deſcription.

PRECIPITATE was bred by Lord Egremont, foaled in 1787, got by Mercury, (a ſon of Eclipſe) dam by Herod, his grandam Maiden by Matchem, out of Mr. Pratt's old Squirt mare; her dam by Mogul—Camilla by Bay Bolton—Old Lady Dam of Sterling by Pulleine's cheſnut Arabian—Rockwood Buttler.

PERFORMANCE.

In the firſt ſpring meeting, 1790, at New Market, when three years old, he won the firſt claſs of the Princes Stakes of 100 guineas each, beating Thunderbolt, Chanticleer, and Sir Peter Pepper, four having paid forfeit. In the ſame week he won the the Bolton Stakes of 50 guineas each, beating Chambooe, Dragon and Pallafox; ſeven paid forfeit. And in the ſame week he received 100 guineas forfeit from Lord Groſvenor's Radamanthus.

In 1792 he won 50l. at Guildhall, beating Dodge, Thunderbolt, Sarmgapatam and Stout; the next day 50l. at the ſame place, beating Cardock and Griffin. He alſo won the King's 100 guineas, at Lewes, beating Skyſcraper, at three heats, the firſt being a dead heat. After which he was ſo highly eſteemed that he become a ſtallion in his lordſhip's ſtud at 12 guineas a mare. This horſe is the ſire of the following running horſes in England: Johnquil, Petworth, Matrana, Roſalba, Cheſnut Colt out of Bobtail, Cheſnut Colt out of Roſemary, Humbug, Lazarus, Raginier, Apollo, Gulliver, Tag, Louiſa, Tipſtaff, Mr. Heathcote's Filly out of Reeves, Alchymiſt, Clodhopper, Grey Filly his R. H. Lampadoſa, Mars, Mary, Matrance, Bay Filly Mr. Brown's, Grey Filly, Mr. Radcliff's, Tax, Tipſtaff and Bobtail.

THOMAS GOODE.

February 20th, 1805.

RUN AWAY

FROM the subscriber on the 16th of April, a Negro Man by the name of MOSES: he is 5 feet 6 or 7 inches high, between 35 and 40 years old, has a bushy head of hair, straddles a good deal in his walk, from wearing a truss; is much addicted to ſtrong liquor, and when drunk, and at all times, a ſulky and inſolent fellow. He has twice before made an attempt to get off, and was once taken at City Point, trying to get on board a veſſel. He is well acquainted in many parts of the ſtate, having travelled formerly with me and driven my carriage 'till within a few years. I will give TEN DOLLARS if he is taken within the county of Mecklenburg and brought home, to TWENTY DOLLARS to have him ſecured in any jail, ſo that I get him again. J. NELSON.

Mecklenburg, 29th May, 1805.

United States of America, fifth Circuit in the Virginia Diſtrict,

May term, 1805.

Thomas R. Rootes, adminiſtrator debonis non of Joſeph Smith and John Smith, deceaſed, Plaintiff,

AGAINST

Samuel Gist, Martin Pearkes, and Mary his wife, late Mary Anderſon, and Benjamin Toler, Defendants.

THE defendants Samuel Giſt, and Martin Pearkes, and Mary his wife, not having entered their appearance, and given ſecurity according to a rule of this court, and it appearing to the ſatisfaction of the court that they are not inhabitants of this diſtrict: On the motion of the plaintiff by his counſel, *It is ordered*, that the ſaid defendants do appear here on the firſt day of the next court, and anſwer the plaintiff's bill; and that a copy of this order be forthwith inſerted in ſome one of the newſpapers publiſhed in the city of Richmond, for two months ſucceſſively, and poſted at the front door of the Capitol in the ſaid city. R'ts

A Copy—Teſte,

WILLIAM MARSHALL, Cl'k.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond, the 16th day of March, 1805,

BETWEEN

Charles Macmurdo, adminiſtrator of George Macmurdo, *Plaintiff,*

AND

John Thompſon and Patrick Stewart, executors of John Ravenſcroft, deceaſed, and Daniel Fiſher, William Starke, junior, and Belfield Starke, executors of Bolling Starke, deceaſed, and John Starke Ravenſcroft, *Defendants.*

THE defendants John Thompſon and Patrick Stewart not having entered their appearance, and given ſecurity according to the act of aſſembly and the rules of this court, and it appearing to the ſatisfaction of the court, that they are not inhabitants of this country: On the motion of the plaintiff, by counſel, *It is ordered*, That the ſaid defendants do appear here on the firſt day of the next September term, and anſwer the bill of the plaintiff; and that a copy of this order be forthwith inſerted in ſome newſpaper publiſhed in the city of Richmond, for two months ſucceſſively, and poſted at the front door of the Capitol in the ſaid city.

A Copy—Teſte,

PETER TINSLEY, C. C.

WASHINGTON TAVERN,

BY

James Edmondson.

THE ſubſcriber ſtill continues to keep a Houſe of Entertainment for Genteel Company only.—He flatters himſelf, he is as well provided to give general ſatisfaction, as any perſon in his line in the ſtate.—There is a Mail-Stage eſtabliſhed, which runs from Richmond to his houſe once a week, and for the accommodation of the Public, he has an excellent Hack, Horſes and Driver.

Staunton, June 15th, 1805.

William M. Billington,

Next door above Mr. C. Spencer's, Main-ſtreet, Richmond,

HAVING lately received a large ſupply of Philadelphia PORTER, ALE and BEER, of the beſt quality, which he offers for ſale, either bottled or on draft, on the moſt reaſonable terms for cash. His long experience in this line, induces him to hope for encouragement, and alſo enable him to give general ſatisfaction. He is in daily expectation of ſome of Hebbert's beſt London BROWN STOUT, of which he will always endeavor to keep a regular ſupply.

N. B. The higheſt price given for empty BOTTLES.

June 14. law3t

FOUND,

A FEW bars of Iron, which the owner may have, on application to the ſubſcriber, proving the property and paying the expence of this advertiſement.

JOHN WIDEWILT.

Richmond, June 17th, 1805.

PLEADINGS OF COUNSEL ON THE IMPEACHMENT OF JUDGE CHASE.

THURSDAY, FEBRUARY 21.

[*Mr. Hopkinſon, in continuation.*]

You will be pleaſed to bear in mind, ſir, that this paper containing the opinion of the court, was not read, nor was there any declaration whatever of its contents or ſubſtance. It was known to none; it was intended to be made known to none but the counſel for whoſe uſe it was deſigned. How then could it produce any prejudice to John Fries? No attempt was made, no intention was manifeſted to read it. It was privately handed to Mr Lewis.—How then did it become public, in what manner were copies diſtributed to various hands? Not, ſir, by the court, but by the counſel of John Fries. Mr Lewis, in a moment of real or affected indignation, threw the papers from him, declared his hand ſhould not be polluted by it, and caſt it upon the table of the court, and it does not appear to this hour that he knows the contents of the paper he ſo haſtily condemned. Several gentlemen of the bar by this means got hold of it, and ſome copies were taken. But for this conduct on the part of Mr Lewis, nobody ever could have known the contents of the paper or the opinion of the court. It was this that gave publicity to the opinion, and extended a knowledge of its contents, not only without the deſign and concurrence of the court, but decidedly againſt them. The act of the court was thus thrown into a different courſe and direction from what was intended or contemplated by them.

What then, ſir, is the whole amount of the crime of the judge on this occaſion? That he, a law judge, had been bold enough to form an opinion—not on John Fries's caſe, or the facts or circumſtances of it, for he knew them not; but on certain abſtract points of law, without firſt conſulting and hearing Meſſrs Lewis and Dallas. And further, he had not only formed ſuch opinions, but he had the audacity to put them into the hands of theſe gentlemen, which, in the article of impeachment, is called "delivering the opinion." The judge then, on mature deliberation, from a full conſideration both of Engliſh and American precedents and deciſions, had really made up his mind upon what overt acts would conſtitute the treaſon of levying war; and *to prevent miſtake*, he had reduced this opinion to writing, and for the information of the counſel on *both ſides* (no partial ſelection) he gave a copy of this opinion to each of them; and *intended* to give another to the jury to *take out with them*. The jury ſhould have this opinion where they could not miſtake it, inſtead of their memories where it might be miſunderſtood. Is not this, ſir, a fair and juſt epitome of the facts given in evidence? Is it not the full meaſure and amount of the judge's crime and corruption? If the judge had any right to have any opinion of his own on the caſe, and if the opinion he formed was a correct one, and it is admitted or at leaſt not denied to be ſo, where or whence could any injury ariſe from it to John Fries or his counſel? The opinion is ſupported by Engliſh authority, and by the highly reſpectable names of judges Paterſon and Iredell.—And this opinion judge Chaſe had an undoubted right to give to the jury. He never intended to give it until the argument was cloſed, and then he deſigned to vary from the uſual mode of charging jurors, only in this, that to *prevent miſtake* and for more certainty, he would deliver in writing inſtead of verbally. Yet the article charges that in conſequence of the forming and delivering this opinion in this illegal manner, John Fries was convicted and ſentenced to death. The undiſputed correctneſs of this opinion wipes away every idea of an intention to injure or oppreſs John Fries. No injuſtice could reſult to him from a legal and correct opinion, which muſt finally have ruled the caſe, delivered at any time and in any manner. There might be ſome inattention to uſual forms, but there could be no ſubſtantial injury. An opinion thus anticipated, if manifeſtly unſound and erroneous, and againſt the priſoner, might carry ſome ſuſpicion of unjuſt prejudice, but how *corrupt intentions* are to be proved, manifeſted or executed *by correct opinions*, is to me inexplicable.—The judge had taken much labor and particular pains to inform himſelf on the law of the caſe. He would not truſt himſelf on haſty opinions made up at the moment when the life of a fellow citizen was at ſtake, and might be the forfeit of an error; and he therefore carefully examined the law and deliberately took an opinion. For this unuſual attention he deſerves thanks and not impeachment. If knowledge of the law be a crime in a judge, ignorance is the beſt recommendation; and that judge is moſt worthy and beſt qualified for his office, who poſſeſſes no opinions of his own on any legal ſubject, but preſents himſelf as a ſcholar to be taught by the counſel, and has no impreſſions but ſuch as they are pleaſed to give him. I mean not to paſs a ſentence of condemnation on the views or conduct of the counſel of Fries. Their ſole object and anxiety were to ſave the life of their client; and if they believed they could better effect this end by taking fire at the conduct of the court, by exciting a ſtrong feeling and prejudice againſt the mode of proceeding, and by involving the court in embarraſſment and difficulty, it was for them to judge how far they might purſue this object by ſuch means, and to their own judgment I ſubmit it. It is not eaſy to ſay how far counſel may fairly go in ſuch a caſe, and when the life of the client is in iſſue, much more will be allowed than in common caſes.

We have heard much about the agitation of the bar on this occaſion. The particular cauſe of it has not been clearly explained. It might have been produced by the demeanor of Mr Lewis, which from his own account was violent and indignant, or it might have been the mere buſtle produced by the different effects that were made to get hold of the noxious paper which Mr Lewis caſt from him with ſo much feeling as too foul for his mind; or from a combination of theſe with other cauſes. Another circumſtance equally immaterial, has been dignified with much importance by the attention the managers have beſtowed upon it. I mean the *novelty* of the proceeding. Every witneſs was aſked in ſolemn form, "Did you ever ſee the like before?" "How long have you been a practiſing lawyer?" "How many criminals have you defended?" "Was not this mode of forming and giving opinions by the court a novelty to you?" Granted, it was a *novelty*—I ſay granted, for argument's ſake—it was a novelty; and what follows? Is it therefore impeachable? Every innovation, however juſt and beneficial, is ſubject to the ſame conſequence. But, ſir, if this novelty proceeded not from impure intentions, and was not followed by oppreſſive or injurious conſequences, where is its injuſtice or criminality? There were many other novelties in that trial. It was a novelty that counſel ſhould deſert their cauſe in the abrupt manner in which it was then done. But I preſume it will not be pretended that theſe things were wrong merely becauſe they were novel; much leſs that a judge is to be convicted of high crimes and to be removed from office for a harmleſs novelty—The articles charge not the judge with innovations and novelties in legal forms, but with depriving John Fries and his counſel of their conſtitutional right; and if he has not done this the reſt is of no importance now. But what is the ſtrange novelty that excites ſo much intereſt and alarm? Is it that a law judge had a law opinion and was capable of making it up for himſelf without the aſſiſtance of learned counſel? I hope not. I ſhould be ſorry to ſuppoſe that this is a novelty in the United States. Was it then the reducing this opinion to writing, putting it on paper with pen and ink that makes the dangerous novelty? For have the opinion is nothing; but to write it conſtitutes the crime. And yet, ſir, where is the difference to the priſoner; except that in the latter caſe there is more certainty; leſs chance of miſapprehenſion and miſtake on the part of the jury, than when it is delivered to them verbally. It ſhould be recollected, ſir, and I am ſure it is too important to be forgotten by this honorable court, this written opinion contained all the limitations and diſcriminations on the law of treaſon which could ſerve the priſoner, as well as thoſe which might operate againſt him. But, ſir, I deny that there was ſo much novelty either in forming this opinion or in reducing it to writing, as is pretended. It is uncommon for judges to ſtate their opinions on particular points of law to counſel, even before argument, for the direction of their obſervations? And was it ever before conſidered a prejudication of the caſe or an encroachment upon the rights of the bar? In criminal courts the practice is conſtant and univerſal. Previous to the trial of the caſes of treaſon after the reſtoration of Charles II. the judges of England met together, and did form and reduce to writing opinions, not only upon the mode of proceeding upon the trials, but alſo on all thoſe queſtions or points of law, which they ſuppoſed would ariſe and require their deciſion in the courſe of the trials. See Kelynge's reports, page 1, 2, &c.—11. Here the judges met in conſultation expreſsly for the purpoſe now deemed ſo criminal in judge Chaſe, and took to their aid the king's counſel. Our judge did not take to his aſſiſtance the attorney of the United States in forming his opinion; nor did the judges in England deliver to the counſel of the accuſed, the reſult of their deliberations, but doubtleſs it would have been received as a favor if they had. In the only two points of difference, therefore, between the two caſes, we have moſt decidedly the advantage.

But, ſir, how can the proceeding of judge Chaſe, in *principle and effect*, be diſtinguiſhed from the common and univerſal practice of charging grand juries, on the legal nature and deſcription of the crimes to come under their notice? When a judge is about to hold a criminal court, he is particular to introduce into his charge thoſe very offences, and his opinions upon them, which by information or otherwiſe, he ſuppoſes will be brought before the court. The opinion of the judge in ſuch caſes is formed, is reduced to writing and is publicly delivered in the preſence of all the jurors, both grand and petit, but never was before conceived to be objectionable. Nor was it ever before ſuppoſed to be a prejudication of any man's caſe, who might afterwards be tried for an offence thus defined.——Judge Chaſe ſtated what acts in his opinion, would, in conſtruction of law, amount to treaſon in levying war; but whether theſe acts and the neceſſary intention which muſt accompany them, would be proved upon John Fries or any body elſe, was left quite at large to be decided by the jury on the evidence.

In hardy's trial, page 13, chief juſtice Eyre ſtates to the grand jury, "jurors and judges ought to feel an extraordinary anxiety that proſecutions of this nature ſhould proceed upon ſolid grounds. I can eaſily conceive, therefore, that it muſt be a great relief to jurors placed in the reſponſible ſituation in which you now ſtand, bound to do juſtice to their country and to the parties accuſed, and anxious to diſcharge this truſt faithfully; ſure I am that it is conſolation and comfort to us, who have upon us the reſponſibility of declaring what the law is in caſes in which the public and the individual are ſo deeply intereſted; to have ſuch men as the great ſir Matthew Hale, and an eminent judge of our own times, who, with the experience of a century, concurs with him in opinion, ſir Michael Foſter, for our gides.

"To proceed by ſteps—From theſe writers upon the law of treaſon (who ſpeak as I have before obſerved, upon the authority of adjudged caſes) we learn, that not only acts of immediate and direct attempt againſt the king's life are overt acts of compaſſing his death, but that all the remoter ſteps taken with a view to aſſiſt to bring about the actual attempt, are equally overt acts of this ſpecies of treaſon, even the meeting and conſulting what ſteps ſhould be taken in order to bring about the end propoſed, has been always deemed to be an act done in proſecution of the deſign, and as ſuch an overt act of this treaſon: This is our firſt ſtep in the preſent enquiry. I proceed to obſerve, that the overt acts I have been now ſpeaking of have reference, nearer or more remote, to a direct and immediate attempt upon the life of the king; but that the ſame authority informs us, that they who aim directly at the life of the king, (ſuch an inſtance, as the perſons who are concerned in the aſſaſſination plot in the reign of king William) are not the only perſons who can be ſaid to compaſs or imagine the death of the king. "The entering into meaſures which, in the nature of things, or in the common experience of mankind, do obviouſly tend to bring the life of the king in danger, is alſo compaſſing and imagining the death of the king;" and the meaſures which are taken will be at once evidence of the compaſſing, and overt acts of it."

Where is the criminality of ſuch inſtruction and direction; but in what does it differ in principle and in all its poſſible conſequences to the priſoner, from the conduct of judge Chaſe? The learned Engliſh judge thought he was obliging the jury, not encroaching upon them—by ſtating fully and preciſely the legal conſtruction of thoſe acts which would probably be given to them in evidence to ſupport the charges of treaſon. It is true the treaſon charged upon Hardy was not that of levying war—it was that of compaſſing the king's death. Now what overt acts amount to the compaſſing of the king's death, is a queſtion of law reſting upon long and eſtabliſhed deciſions and precedent. And judge Eyre thought it no crime to declare to the jury his opinion of the law in this reſpect. So in out caſe, treaſon by levying war, is a general conſtitutional definition of the offence; but the application of this general definition, and the fixing and deſcribing ſuch overt acts as amount to a levying of war, is matter of legal conſtruction, depending upon a knowledge of former adjudications, which the judge was bound to know, or he was not worthy of his office, and which he was alſo bound to communicate to the jury. The differences of the caſes is only here. Chief juſtice Eyre formed his opinion on deliberation and he reduced it to writing; but he alſo publicly delivered it with all the weight of his name and authority in the face of all jurors and of the country. Whereas judge Chaſe gave his opinion privately to the counſel, to be at their diſpoſal and diſcretion; to uſe it for the benefit of their client if they could; or to diſregard and ſuppreſs it if they thought proper. It might forever have been concealed from the jurors and from the world, if the counſel of Fries had not themſelves made it public. This practice of delivering opinions on points of law in charges to grand juries, is not confined to the Engliſh courts. It is the ſame in the United States. The managers have pronounced every deſerved eulogium upon the official conduct and character of judge Iredell. The reſpondent has been referred to him as a bright example of juſtice and impartiality, and it has been lamented that with ſuch an example before him, judge Chaſe ſhould have ſo wandered from the path of rectitude. We take their ſtandard of excellence. We agree to be judged by judge Iredell; and if I ſhew that the humane and learned judge really did the ſame thing for which the reſpondent now ſtands on his trial, I hope there will be an end of the complaint. On the firſt trial of this ſame John Fries for the ſame offence, judge Iredell actually committed, with ſome circumſtances of aggravation, the ſame enormous crime for which judge Chaſe is now impeached. He did form an opinion on the law of treaſon, he did reduce that opinion to writing, and he did deliver that opinion, the ſame in ſubſtance, and nearly the ſame in words with that delivered by judge Chaſe. The bright example was before our eyes, he is now ſo, and let us be judged by him. In the charge delivered to the grand jury in 1799, who found the bill againſt Fries for treaſon, ſpeaking of thoſe caſes which he thought would come before the court, the judge ſays, "the only ſpecies of treaſon likely to come before you, is that of levying war againſt the United States. There have been various opinions and different determinations on the import of thoſe words. But I think I am warranted in ſaying, that if in the caſe of the inſurgents who may come under your conſideration, the intention was to prevent by force of arms the execution of any act of the congreſs of the United States altogether, (as for inſtance the land tax act, the object of their oppoſition) any forcible oppoſition calculated to carry that intention into effect, was a levying war againſt the United States, and of courſe an act of treaſon. But if the intention was merely to defeat its operation in a particular inſtance, or through the agency of a particular officer, from ſome private or perſonal motive, though a higher offence may have been commit-

ted, it did not amount to the crime of treason. The particular motive muſt however be the ſole ingredient in the caſe, for if combined with a general view to obſtruct the execution of the act, the offence muſt be deemed treaſon."

Judge Iredell, therefore, ſo far from conceiving it to be a crime to have an opinion upon the law of treaſon in levying war and the overt acts which would conſtitute it, to reduce that opinion to writing and to deliver both to counſel and jury, ſeems to have conſidered it, as chief juſtice Eyre had done before him, to be his duty to do do. The opinion delivered by this reſpectable judge coincides entirely with that of judge Chaſe, and the manner of delivering was, on our opponents' principles, vaſtly more exceptionable. The novelty of this proceeding ſeems to have vaniſhed on inveſtigation. There is indeed one ſtriking difference in the two opinions—That judge Chaſe goes more fully and clearly into the definition of the offence, and is more particularly careful to ſtate thoſe diſtinctions and diſcriminations which might ſerve the accuſed, and reduce his tranſgreſſion to ſome ſmaller offence, provided they could appear in his caſe. He lets out not only the deſcription and character of thoſe overt acts which conſtitute treaſon, but enumerates alſo with equal care ſuch as will not amount to that offence. If theſe favorable diſcriminations might in any way have been uſeful to the accuſed, they were put fully into the power both of the counſel and the jury.

The gentleman who opened the proſecution, (Mr. Randolph) took occaſion to ſpeak in very handſome, and I doubt not very deſerved terms of applauſe, of a diſtinguiſhed judge in Virginia. This ſame judge has publiſhed an edition of Blackſtone's Commentaries, into which he has introduced a variety of his own opinions on the conſtitution and laws of the United States. If hereafter a perſon ſhould be accuſed under the operation of ſome of thoſe ſtatutes, on the conſtruction of which judge Tucker has publiſhed his comments and opinions, would it be any impeachment of the juſtice and impartiality of this judge to ſay, he had made up his opinion, he had reduced it to writing, he had delivered it to the world and therefore he had prejudged the caſe. No, this would be a ſort of reaſoning even more abſurd than the Richmond *non ſequitur*. The honorable manager (Mr. Randolph) to enforce and exemplify his doctrines on this ſubject put an analogous caſe. He ſtated that a judge holding a criminal court might properly give the legal deſcription of murder, and the circumſtances and ingredients that in point of law would conſtitute this offence. But, ſays he, he may not go on to apply this definition to the overt acts laid in the indictment. This I confeſs is a novelty to me. I never before heard of overt acts in an indictment for murder. The general charge of the offence is laid in legal and general terms, but there is no ſpecification of the particular facts and circumſtances by which the charge is to be ſupported. But ſuppoſe a judge, knowing that a man was coming before him for trial, accuſed of going into the ſtreet with a declared reſolution to kill the firſt man he ſhould meet; and this judge were to ſay to any perſon or in any place, verbally or in writing, that a killing under ſuch circumſtances was murder, and a full manifeſtation of malice in a legal conſtruction, would this be called a prejudication of the caſe? Is it not a mere declaration of the law exiſting and eſtabliſhed long before the caſe, which it was the duty of the judge to know, to obey and to declare? If the facts proved before the jury brought the accuſed within the law, the conſequence of conviction followed, not by the will of the judge, but by the ſentence of the law; and while this queſtion was left open, the caſe was in no wiſe prejudged. To explain this point ſtill further, I will put the caſe of *libelling*. This offence, like that of treaſon, conſiſts of two parts—the act and the intent. Would it be criminal in a judge, knowing that ſuch a caſe was to come before him, to inform himſelf, if neceſſary, of the law of libels, to make up his mind on the conſtituent parts of the offence, and to declare them to the grand jury, the counſel or any body elſe? Might he not be of opinion, and write and ſay, that a libel is a malicious defamation of any perſon in writing, in order or intended to excite their wrath, or to expoſe them to public hatred or contempt? Here the fact of publication muſt be proved and the malicious intent. And might not a judge ſtate what in contemplation of law is a malicious and defamatory writing, and that if ſuch an one is publiſhed with intent to injure and defame, it is in law a libel? Apply this doctrine to the caſe of Fries. May not a judge have an opinion and declare, that an inſurrection of a body with intent or in order to reſiſt the execution of any law of the United States, and the carrying that intent into execution by actual force and violence, is treaſon againſt the United States by levying war? There is no prejudication in either caſe; the facts and the intent which conſtitute the crime, and on which the guilt or innocence of the accuſed depends, are left wholly untouched, and come without prejudice or bias to the jury. I have heard the phraſe "prejudging the law" repeated over and over again. Judge Chaſe *prejudged the law* againſt Fries, we are told—I confeſs the phraſe is a very ſingular one to me. I know not preciſely how to underſtand it. I can comprehend what is meant when I hear of prejudging a man's caſe—in prejudging the facts of any caſe. But as to the law, I preſume it is always prejudged; always ſettled, certain and aſcertained. It is never a cuſtom in any caſe of murder, where a killing with malice prepenſe is or is not murder. The law has prejudged that; and ſo in all other caſes the queſtion is, whether the facts proved bring the caſe within the law. And ſo it was in Fries's caſe, and upon that point judge Chaſe neither gave nor intimated nor had an opinion; for as the evidence had not been heard, he could not anticipate what facts would be proved.

I hope and truſt, ſir, that the firſt ſpecification of this article is now diſpoſed of to the ſatisfaction of this honorable court, and the complete juſtification of the reſpondent. Part of it, which teſted by the evidence, turns out to be wholly unfounded; the reſt, which is true, has been fully juſtified both on principle and by precept. If there was ſome haſte and error in the conduct of the judge, which however I neither believe nor admit, there was certainly no criminality in the act. There was nothing impure in the motive—nothing injurious in the conſequence.

(*To be continued.*)

Mansfield—or Point Reserve.

This beautiful ſite, with the improvements thereon, is FOR SALE.

WITHIN the encloſure I eſtimate five acres, and without, including a private road, about five acres. Its ſituation for a private family is ſurpaſſed by none within the vicinity of the city. It lies between the Capitol and Mount Comfort, the ſeat of Edmund Randolph, Eſq. Immediate poſſeſſion may be had. THOMAS WILSON.

Richmond, June 6, 1805. tf

BLANK BILLS OF LADING, *May be had at this Office.*

The Virginia Gazette.

RICHMOND:

SATURDAY, JUNE 22, 1805.

We know not the cauſe, but it is certainly a fact, that there are among our own countrymen many characters who ſeem to take not a little pleaſure in aſſiſting ſeveral Engliſh writers to ridicule the taſte, genius and literary acquiſitions of Americans.

In the London Monthly Magazine for December 1803 after a half yearly review of American literature, know to be written this ſide the Atlantic, there follow, "Animadverſions on the preſent ſtate of literature and taſte in the United States—Communicated by an Engliſh gentleman lately returned from America, and who has reſided ſeveral years in that country." Though this animadverſion is profeſſed to be written by an Engliſhman, it bears marks almoſt indubitable of being the work of an American. it is altogether in the manner and ſpirit of many of our American ſcribblers, who ſeek the reputation of a literary ſuperiority by affecting to deride the taſte and the talents of their countrymen. We have generally remarked that thoſe who moſt bitterly complain of the abſence of taſte and of patronage, are neither profound ſcientific characters nor men of much genius.

All circumſtances duly taken into conſideration, the people of the United States are not more reprehenſible for a neglect of literature generally, than the people of England.

Sixty years ago there were perhaps one million of inhabitants in America. Previous to which time, if we conſider of what characters were the firſt ſettlers of this country; what were their purſuits, their neceſſities, and diſadvantages, it could hardly be expected that we ſhould have made any conſiderable progreſs in literary attainments. Our number was ſmall, and our means of riſing to literary exaltation were next to nothing. There were but very few young men who were born with fortunes ſufficient to enable them to devote their whole time to ſtudy; we had no Oxford nor Cambridge, where they might acquire knowledge from its richeſt ſources. Yet with all the diſadvantages attending our ſituation, we were far from being in a ſtate of ignorance; ſchools, academies and colleges were eſtabliſhed, and a foundation laid for a literary empire that in as ſhort time as can reaſonably be expected, will equal that of England. Before and during the revolution, we certainly evinced a knowledge of our political rights, and an acquaintance with the ſcience of war, not inferior to our adverſaries. During and ſince the revolution we have made every advancement in the uſeful and the polite arts that could be expected from our ſituation. In the ſcience of government, we have ſurpaſſed all nations. we have produced a conſtitution that is the envy and the admiration of the world; and which will long ſo continue, if we can, as certainly we may, preſerve it from the paws of the Randolphs and Duanes, the Catalines, Cades and Cromwell's of our day.

It is not thirty years ſince we have been in a condition from which excellence could be expected: yet within the laſt thirty years we have aſcended to ſuch a degree of eminence as entitles us to the reſpect of our own and of foreign nations, and not to their or our reproach. Comparing our ſituation, the infancy of our country, and our diſadvantages, hitherto inſurmountable, with the age and the means of England, we ſee cauſe to congratulate ourſelves, and in many inſtances to reproach her. If her Spencers pined in want, her Drydens were oppreſſed with poverty, her Otways ſtarved, a Paradiſe Loſt ſold to the bookſeller for five pounds, and even at this day of her refinement and boaſted patronage of genius, her Chatterton ſought a Mecænas in ſuicide; both her taſte and humanity are ſubjects of reproach. Nor are literary attainments and moral virtues the road to preferment: worth and ability there often pine in obſcurity, while ſycophancy and idiocy are preferd in church and ſtate. Her clergy are not ſuperior to ours: our lawyers and our ſtateſmen are not inferior to hers. Heaven forbid we ſhould mean our national houſe and ſenate in their preſent degraded ſtate; but there are in our country legal characters and ſtateſmen fully equal to hers.

It is nearly two hundred years ſince England produced a Shakſpere; ſhe never produced but one. It is one hundred and fifty years ſince the publication of Paradiſe Loſt; her only epic poem of eminence. How many years elapſed before theſe authors appeared, with all the lamps of Greece and Rome to light them out of darkneſs? If America has produced no ſuch writers, conſidering the ſhortneſs of time and the ſmallneſs of her number, it is no matter of ſurpriſe.

Literary taſte is as prevalent and as correct in America as in England. The merchants of Philadelphia, New York and Boſton are as learned and as great patroniſers of learning, as the merchants of London. The body of the American people are as learned as the bulk of the Engliſh, Scotch and Iriſh; and probably more ſo. But England has a few men of far greater learning than almoſt our firſt learned characters poſſeſs. This ariſes from the great fortunes of ſome, which enable them to devote their whole lives to literary purſuits: yet her greateſt literary characters are not her nobles:

Haud facile emergunt, quorum virtutibus obſtat
Res anguſta domi;

Yet the brighteſt geniuſes of England roſe, like Johnſon, from the lower walks of life, or even, like Gifford, from the hovel of poverty.

In every department of ſcience and taſte, there are as many *works of abortion*, if we may ſo call them, in England, in proportion to the number of inhabitants, as in America. What thouſands of volumes annually ſee the light "and waul and cry," and are remembered no more. There is not wanting then in England their due ſhare of a corrupt taſte.

The Reviewer of American literature obſerves, that we have the "ſame language, habits and advantages as the Britiſh," and that "the ſame degree of perfection is to be naturally expected; or, ſhould that be wanting, the deficiency is to be accounted for by a *decay of Britiſh genius in its tranſatlantic ſoil*." Our "habits" are in ſome meaſure different, and the "advantages" for literary excellence have been far from the ſame. That nature belittles the body or degrades the mind in America, is an idea too abſurd to have ever needed refutation. Weſt and Stewart had "advantages" for improvement in England which they would not have enjoyed in America: but it would be ridiculous to ſuppoſe that the *climate* of England enlarged their capacity.

The principal object of the Reviewer ſeems to be to ridicule and condemn American newſpapers. Americans, he ſays, are ſo fond of every thing American, that they copy the *ſtyle* of Doctor Franklin. A more unfounded and impotent charge could hardly be adduced. Neither the ſtyle of what authors we have, nor the ſtyle of our public papers, reſembles or is intended to reſemble it. We have ſeveral editors of papers who endeavor to copy the ſtyle of Junius; but are as lame in the imitation of his ſtyle as of his ſpirit. What the Reviewer ſays of the "mud and filth" of ſome of our papers, is true of moſt of our democratic publications; and ſometimes the charge may apply to ſome of the federal papers. With this filth, ſays the Reviewer, one third of the American papers are filled, another third "with uncouth advertiſements, written in general in language and abounding in phraſes, *totally unintelligible to an Engliſh reader*:" and the remaining third "with domeſtic occurrences detailed with the *utmoſt pomposity* by editors, the furniture of whoſe heads appear to be of the ſame ſubſtance as their types."

A compariſon of the leading federal papers in America with the London papers, cannot be made to the diſadvantage of the former. Public characters are handled with as much ſeverity, and often with as little decency, as in our papers. Public diſcuſſions are not conducted with more ability there than here. Their details of domeſtic or continental occurrences are not given with more propriety or in *more correct language*, than ſimilar details here. Our advertiſements are in as good Engliſh as theirs; and more ridiculous than ſome of their advertiſements ours cannot be: and if ſuch words as *unſwell, deinoratize*, and hundreds of others, are "totally unintelligible to an Engliſh reader," it is no fault of ours.

In ſome of the Engliſh papers we ſometimes ſee ſpecimens of fine writing, but not often; *not oftener than in ſome of our American papers*. Some of their editors diſplay occaſionally learning, ingenuity and wit; but in the latter article the proportion of *attempts to ſucceſs* is as ten to one, and even that a little one. We ſometimes read a whole column of ſhort paragraphs intended for wit, and when we have peruſed them, we almoſt tho't we had been reading a column of the Aurora. In the London daily papers there is generally no ſmall part devoted to a ſickening detail of every movement of the royal family. "Yeſterday, about eight minutes after ten, the Princeſs Amelia, in company with the Princeſs Sophia of Glouceſter, took an airing in St. James's Park; one of the horſes had the misfortune to loſe a ſhoe from the right hind foot: this however did not interrupt the ride; they returned about ten minutes before eleven. A reſpectable correſpondent informs us, that the ſhoe was picked up by an honeſt tar from Wapping, and was ſold to Lord —— for five guineas."—"Laſt evening his Royal Highneſs the Prince of Wales returned in town from Portſmouth; the ſudden neceſſity of an urinary evacuation compelled his Highneſs to alight about a mile before the carriage reached Brentford. As the weather was exceedingly damp it is feared his highneſs has taken cold; his phyſician was however with him. The poſt near which his highneſs ſtood when he alighted belongs to the eſtate of Sir Charles ——." After reading half a column of ſuch important domeſtic intelligence, we have next perhaps a column and an half, giving the particulars of ſome ball at the Dutcheſs of Hornmaker's, or ſome other great lady; the company that were there; who came firſt; the exact dreſs of every male and female preſent, garters and *chemiſe* only excepted; who danced with whom; who firſt retired, &c. &c. &c. &c. &c.—Next a long ſtory of conjectures about miniſters: "My Lord A—— had an audience with Mr. Pitt: a morning print is miſtaken in ſaying that Lord D. was preſent: he had not arrived in town: we hope the readers of our paper will notice our ſuperior correctneſs." Conjectures of new appointments or great political movements are thus given, of which the writer knows as much as the king of Otaheite: one would almoſt ſuppoſe a London editor perfectly acquainted with all the ſecrets of the movements of a miniſter, as well as the petticoats of a princeſs.

We are convinced that this reviewer is an American, and as a *key* perhaps to the diſcovery of the author, we will quote the concluding remarks, which exempt the writer of the *Fredonian* poetry we publiſhed a ſhort time ſince from the charge of *vicious* language. We obſerve the names Mitchell and Miller in ſmall capitals: why Doctor Smith is not entitled to equal ſized types, we can only conjecture.

"In medicine, and in ſeveral departments of ſcience, the Americans have honorably diſtinguiſhed themſelves. The Medical Repoſitory, publiſhed at New-York, under the direction of Dr. MITCHILL and MILLER, proves, in every page, that a taſte for accurate ſcientific research is wide-ſpread and deep-rooted; and the tranſactions of the American Philoſophical Society are generally diſtinguiſhed by a great number of valuable papers. The late Dr. Smith, of New-York, was an example of promiſing genius which will ſeldom be exceeded. He was one of the editors of the Medical Repoſitory, and I conſider it proper to exempt that work from the general charge of corrupted and vicious language, which may be juſtly maintained againſt many American writers, and which ſo highly diſgraces the national taſte in the writers of their newſpapers."

One quotation more, from the "Retroſpect of American Literature," and we cloſe.

"CHEMISTRY.

"From the preſs of Meſſrs. Swords, in New York, has lately iſſued an "Explanation of the Syneopſis of Chemical Nomenclature and Arrangement; containing ſeveral important Alterations of the Plan originally reported by the French Academicians, by SAMUEL L. MITCHILL, M. D. F. R. S. E. Profeſſor of Chemiſtry in Columbia College, &c. &c. with a Chart annexed."—Beſides Dr. Mitchill's former propoſals to ſubſtitute the term *ſepton* for *azote*, and *phlogiſton* for *hydrogen*, he urges, in this performance, the diſcarding of the term *caloric*, and the adoption of *antiergon* in its place; contending, that the matter or principle denominated the *matter of heat*, on a more comprehenſive ſurvey of its powers and operation, is more accurately denominated the *principles of repulſion* or *antiergon*."

COMMUNICATION.

IN the courſe of a little excurſion into the country a few days ſince, the appearance of a wretched hovel occupied by a man, his wife, and five ſmall children, attracted my attention and excited ſentiments of pity too keen for expreſſion. Yielding to the impulſe of the moment, my firſt care was, to adminiſter preſent relief, by filling the infant mouths with *gingerbread* from a miſerable ſhop hard by, and then furniſhing the ſmall ſum of caſh which I happened to have in my pocket, with which the diſtreſſed father was ſent to a neighboring mill for a buſhel of meal. Upon enquiring into the cauſe of this family's diſtreſs, through the medium of an interpreter who happened to be paſſing by, I found that they had been ſent from Norfolk to be diſpoſed of as *German redemptioners*; and that the worſhipful mayor, &c. of Richmond, in their true ſpirit of liberty and the rights of man, had reſcued them from their humane maſter, their beſt *friend*, to ſeek their "long loſt liberty" among the chinkapins and whortleberries of *Long and Hungry*!* In this paſtoral ſtate, Mr. Printer, I very much fear the poor foreigners may periſh, or come to the penitentiary; in which ſad event, when indeed is little too late, ſome tender hearted German may in vain bewail his "unhappy fellow citizens," and warn ſome future mayor againſt the cruel act of *forcing* ignorant and helpleſs foreigners to deſert their legitimate maſters until they ſhall acquire as much of our language as will enable them to ſupport themſelves by the humble occupation of begging.

* *A wretched part of the county, not far from the city.*

We have heard a report this morning, that diſpatches of an unuſually important nature from Louiſiana, were received yeſterday by our government. What they are has not yet tranſpired! *perhaps* we may be better able to inform our readers hereafter.

[*Waſhington Federaliſt.*]

Effect of orthography and punctuation.—The huſband of a pious woman having occaſion to make a voyage to ſea, his wife ſent a note to the parſon to be read on the ſabbath following; but inſtead of ſpelling and pointing it properly, ſhe wrote it thus—

"H—— W——, having gone to *Sea* his wife, deſires the prayers of the church and congregation, that he may be mercifully preſerved, &c.

[*Wilmington Mirror.*]

Gen. WASHINGTON *to Col.* HUMPHREYS.

Extract from a piece in the Connecticut Courant.

The firſt newſpaper that originated in the plan and apparently for the expreſs purpoſe of oppoſing the adminiſtration of Waſhington and reviling his character, was the National Gazette, eſtabliſhed at Philadelphia: at that time the ſeat of the general government, and edited by Philip Freneau, who meanwhile was employed by Mr. Jefferſon, then Secretary of State, as interpreter of the French and Spaniſh languages. This paper having had a general and almoſt excluſive circulation in the weſtern parts of Pennſylvania, was with good reaſon, thought to have cauſed the whiſkey inſurrection. When the National Gazette was dropped, the ſame ſyſtem was taken up and continued with increaſed violence and bitterneſs, in the Aurora which was at firſt conducted by Benjamin F. Bache. It will in ſome manner appear, how deeply Waſhington felt the ſtings of the deteſtable calumnies that had been thrown upon him from this paper—from the ſubjoined copy of a letter which he wrote to Col. Humphreys, dated June 12, 1796.

"From the office of State you will receive every thing that relates to public concern; and the Gazette which I preſume will accompany the diſpatches, will give you a pretty good idea of the ſtate of politics and parties in this country; and will ſhow you, at the ſame time, (if Bache's Aurora is among them) in what manner I am attacked for preſerving ſteadily in meaſures which to me appear neceſſary to preſerve us (during the conflicts of the belligerent powers) in a ſtate of tranquility. But theſe attacks, unjuſt and *unpleaſant* as they are, will occaſion no change in my conduct; nor will they produce any other effect in my mind than to increaſe the ſolicitude which has long ſince taken faſt hold of my breaſt, to enjoy in ſhades of retirement, the conſolation of believing, that I have rendered my country every ſervice to which my abilities were competent—not from pecuniary or ambitious motives, nor from a deſire to provide for any one further than their intrinſic merit entitled them to; and ſurely not with a view to bring any of my relations into office. Malignity, therefore, may dart its ſhafts; but no other earthly power can deprive me of the conſolation of knowing, that I have not, in the whole courſe of my adminiſtration; however numerous they may have been, committed an intentional error."

FROM THE VERMONT JOURNAL.

MR ELLIOT,

TO HIS CONSTITUENTS.

LETTER IX.

That part of the conſtitution of the United States, which allows to the people of the ſouthern ſtates, a repreſentation in Congreſs and in the election of the preſident, *for* their ſlaves, (for it is not a repreſentation *of* ſlaves) is the only part of that inſtrument which I conſider as materially objectionable; and I ſhall not be deterred from an expreſſion of my ſentiments upon the ſubject, by the fooliſh outcry about an imaginary diſſolution of the Union. I have often ſaid that I wiſh not to ſee the ſubject again agitated, in the form of an amendment to the conſtitution. Every one knows it muſt be unavailing. But it may ſtill be uſeful that the operation of that part of the conſtitution ſhould be better underſtood by the people than it has been hitherto. Information can do no harm in a republican government; the more the people know, the greater the probability of preſerving the conſtitution.

It is certainly true that the rich planter in the ſouthern ſtates, who poſſeſſes fifty ſlaves, has *thirty-one times* the political weight in our national government that is poſſeſſed by a farmer or merchant of New-England. He does not directly give to many votes, but the ſtate is allowed them, and as one of the conſtituents of the repreſentative and elector of his diſtrict he poſſeſſes all that conſequence. At the ſame time he contributes much leſs than his proportion to the ſupport of government, for the laboring ſlaves conſume nothing of conſequence upon which a duty is paid; and what the maſter does contribute is earned for him by the labor of ſlaves, while the farmer and every man of buſineſs in the northern and middle ſtates pays his taxes with the ſweat of his own brow. It will be ſaid that compariſons of this kind are invidious. It is falſe.—Truth and correct information, ſo far from meriting that character, are always honorable and uſeful.—With very conſiderable labor, I have made ſome calculations upon this ſubject, for which I ſhall receive the thanks of every honeſt man in the diſtrict, and which will certainly give riſe to reflections of a moſt intereſting nature.

Whole No. of perſons in the United States in 1790,	3,893,635
Deduct ſlaves,	694,280
	3,199,355
Three fifths of the ſlaves,	416,568
Whole No. repreſented,	3,615,923

Giving 109 repreſentatives and a fraction of 18, 923. By the laſs of fractional parts of the ratio of repreſentation, in the apportionment to the ſeveral ſtates, the actual number was only 106.

Of the 694,280 ſlaves, the ſtates of Maryland, Virginia, Kentucky, North Carolina, South Carolina, and Georgia, contained 645,023, three fifths of which number is 387,012—which, divided by 33,000, (and not calculating for fractional loſs in the apportionment to the ſtates, which would not in this caſe amount to one member) gives, as the ſlave repreſentation of the ſouthern ſtates, agreeably to the firſt cenſus, *eleven* members, and a fraction of 24,012.

Whole number of perſons in the United States in 1800, excluſive of Tennеſſee, Ohio, and the Territories, 5,140,208

	Slaves.	*Total.*	
Tenneſſee,	13,584	105,602	
Ohio,		45,365	
Indiana,	135	5,641	
Miſſiſippi,	3,489	8,850	
	17,208	165,458	165,458
In other ſtates,			
ſlaves	875,225		5,305,666
Total ſlaves	892,433	Deduct in Indiana and Miſſiſſippi unrepreſented,	14,197
Deduct in In. and Miſ.	3,624		5,191,175
	888,809	Deduct ſlaves,	888,809
			4,402,366
Three fifths of ſlaves,			533,280
			4,935,646

Giving 149 repreſentatives, and a fraction of 18,645. But by the loſs of fractional parts, &c. the number is only 142.

By the ſecond cenſus, of 888,809 ſlaves, the ſame ſtates contain 832,992, three fifths of which is 499,794, giving 15 repreſentatives, and a fraction of 4,794.

I ſhall divide the United States into the three great natural diviſions of northern, middle, and ſouthern ſtates. The northern receive no advantage, the middle but a trifle, if any, and the ſouthern a very important advantage, from the repreſentation for ſlaves.

The following table exhibits the decreaſe of ſlaves in the northern and middle, and their increaſe in the ſouthern ſtates, for ten years.

New-Hampſhire, Maſſachuſetts, Rhode-Iſland, Connecticut and Vermont contained in 1790—total, 1,009,522; ſlaves 3,886. In 1800, total 1,233,011; ſlaves 1,339. New-York, New-Jerſey, Pennſylvania and Delaware, in 1790, total 1,017,726; ſlaves 45,371. In 1800, total 1,464,317; ſlaves 40,834.—

Maryland, Virginia, Kentucky, North-Carolina, South-Carolina and Georgia, in 1790, total 1,866,387, slaves 645,823. In 1800, total, 2,437,231; slaves 832,992. The ſlaves in the northern ſtates have decreaſed from 3,886 to 1,339, almoſt in the ratio of 2 in 3. In the middle ſtates from 45,371 to 40 894, in that nearly of one ninth. Increaſed in the ſouthern from 645,023 to 832,992, nearly one third of the original number, or in the ratio of 832 to 645.

Rhode Iſland has decreaſed from 948 to 380.—Connecticut from 2764 to 951. New-York nearly ſtationary. Pennſylvania and Delaware have decreaſed a little, and Maryland made a ſmall increaſe. Virginia has increaſed in the ratio of 345 to 292.—Kentucky in that of 40 to 12. North-Carolina in that of 133 to 100. S. Carolina in that of 146 to 107. Georgia has doubled her number. The increaſe gives four members of congreſs, and as many electors of preſident, to the ſouthern ſtates.

The increaſe of the whole number of perſons repreſented has been as 49 to 36; that of ſlaves, for which their maſters are repreſented, as 53 to 41; that of freemen as 44 to 31. Let us calculate upon the ſame ratio of increaſe for 10 years to come. Increaſe the number of perſons repreſented from 49 to 65—ſlaves from 53 to 68—freemen from 44 to 60, round numbers; there will be in ten years more than 19 repreſentatives for ſlaves. But if we calculate, as we may with probability, upon a much larger increaſe, upon the creation of new ſtates in Louiſiana, and the importation and propagation of ſlaves in that country, in 20 or 30 years there will be between 30 and 40 repreſentatives in congreſs for ſlaves, and as many electors of preſident.

But another very gloomy part of the picture remains to be unfolded.

In the laſt ten years the whole number of perſons in the northern or eaſtern ſtates has increaſed only in the proportion of 12 to 10, in the middle as 14 to 10, in the ſouthern nearly as 24 to 18. Free people in the eaſtern as 12 to 10, ſlaves in the ſouthern as 81 to 64. Free people in the ſouthern ſtates from 1,421,364 to 1,604,239. Free people in the eaſtern ſtates in the ratio of one fifth only of the original number; thoſe in the ſouthern ſtates in that of nearly one third; ſlaves in about the ſame proportion.

By the laſt cenſus the number of free perſons in the northern ſtates was 1,231,672, and in the ſouthern 1,604,239. By the former cenſus the number of free perſons in the northern ſtates was 1,005,636, and in the ſouthern 1,221,364. How are the people in theſe different quarters of the union relatively repreſented? By the firſt cenſus Vermont had 2 members, New-Hampſhire 4, Maſſachuſetts 14, Rhode-Iſland 2, Connecticut 7—29 members. Maryland 7, Virginia 19, Kentucky 2, North Carolina 10, South-Carolina 6, Georgia 2—46 members. 1,003,636 free citizens in the northern ſtates had 29 repreſentatives, and 1,221,364 in the ſouthern 46 repreſentatives. Without allowing any fractions of the ratio of repreſentation in the apportionment to the ſeveral ſtates, and making no allowance for ſlaves, the northern ſtates would have been entitled, by the cenſus of 1790, to 30 repreſentatives, and a fraction of 15,636, the ſouthern to 37 only, with the trifling fraction of 364. In conſequence, therefore, of the conſtitutional repreſentation *for* ſlaves, the relative weight of the northern and ſouthern ſtates was only as 29 to 46, when otherwiſe it would have been as 30 to 37.

By the preſent cenſus the northern ſtates have 35 repreſentatives, and the ſouthern 64, including Tenneſſee. 1,231,672 free people in the northern ſtates have 35 repreſentatives. The ſouthern ſtates, including Tenneſſee, contain 1,696,257 free people, and have 64 repreſentatives. As above, the northern ſtates would have been entitled by the cenſus of 1800, to 27 members, with a fraction of 10,672.—The ſouthern to 51, and a fraction of 13,257. It is as 35 to 64, and were freemen alone repreſented, and that equally, it would be as 37 to 51. Inſtead of being little more than half, it would be more than 2 thirds.

But it is contended that the equal repreſentation in the ſenate counterbalances this inequality; and the deceivers of the people have met with ſome ſucceſs in this falſehood. I will prove it falſe in one minute. The five northern ſtates contain 1,231,672 free people, and ſend ten ſenators; the 7 ſouthern ſtates 1,696,257 and ſend 14 ſenators. By a ſimple operation in the rule of three, it will be found that the ſouthern ſtates, by their numbers, in proportion to thoſe of the northern, are entitled only to 13 ſenators, with a fraction of 91 parts of 123. The middle ſtates ſtand almoſt on the ſame ground with the northern. As it reſpects the ſenate, they are on worſe ground. With a free population but one eighth leſs than that of the ſouthern ſtates, they have but one more than half the number of ſenators.

Vermont, for 154,000 free people, has 4 repreſentatives. Maſſachuſetts, for 574,564, has 17 repreſentatives. New-Hampſhire, for 183,850, has 5. Connecticut, for 250,051, has 7. Rhode-Iland, for 68,742 has 2. New-York, for 565,437, has 17.—New-Jerſey, for 198,717, has 6. Pennſylvania, for 600,839, has 18. Delaware, for 58,120, has 1.—Virginia the largeſt of the ſouthern ſtates, has, in whole numbers, 880,200; deduct ſlaves, 345,796; free people, 534,404. Virginia, with 40,160 free people *leſs* than Maſſachuſetts, has five repreſentatives and electors *more*. With 31,033 *leſs* than New-York, ſhe has five *more* of each. With 66,435 leſs than Pennſylvania, ſhe has four more of each.—Perſons now alive may ſee the day when the ſouthern and weſtern ſtates will have repreſentatives in congreſs, and electors of preſident, *for ſlaves only*, than the northern will have *for all their free people!*

Whoever ſhall deny the truth of any part of this ſtatement, the people may rely upon it as a deceiver, and diſhoneſt. If there be no accidental or typographical miſtakes in the figures, every word of it is as true as truth itſelf. Such a ſtate of things is our own misfortune, and not the crime of the people of the ſouth. We muſt make the beſt of a bad bargain. We muſt by all means preſerve the conſtitution. Our ſituation is indeed wretched, as we have no compenſation for this monſtrous ſacrifice. That, which was intended as a compenſation (a very trifling one however) the apportionment of a direct taxes, has never been exerciſed but once, and probably never will be again. Still let us preſerve the conſtitution. But it cannot be *treaſon*, *conſpiracy*, or a *diviſion of the union*, to contemplate our misfortunes, and calculate their conſequences.

JAMES ELLIOT.

PHILADELPHIA, June 14.

COMBINED FLEETS.

A French gentleman, paſſenger in the Louiſa, from St. Pierres, (M.) via St. Kitts, arrived this morning, informs, that he was on board the French and Spaniſh fleets at Port Royal, Martinique; and that they conſiſted of 18 ſail of the line and 9 frigates. The French admiral was Villeneuve in the Buccaneer; the Spaniſh admiral Gravina, in the A'Argonaut.—There were 2 ſhips of 90, and 4 of 80 guns, having 10,000 troops on board, under Gen. Lauriſton. The officers of the fleet ſay they had no knowledge of the preciſe point of deſtination.

To the Public.

IT appears from the report of a court martial that ſat upon the trial of Maj. Trueheart, who was under an arreſt, that I have been guilty of ſome high crime indeed; and as my ſilence may be taken for an acknowledgment of the court's charge, I take the liberty of offering to the view of my country a ſhort ſtatement of facts appertaining to this caſe; and before I proceed farther, will remark, that an Enſign of 18 years only, whoſe character ſtands fair, let his promiſing eſtate be ever ſo ſmall, (under a government like the American republic) deſerves as much reſpect as a Major, whoſe character ſtands upon no better footing, if his fortune be ever ſo great. The following words and figures is a copy of my arreſt of Maj. William Trueheart:

"To Brigadier General Thomas White.

"Sir—I do hereby requeſt that you arreſt Maj. Wm. Trueheart, who was, and is, the commandant of the 74th regiment at the drill of officers in November laſt, for the following reaſons, to wit: That he ſuffered the brigade inſpector to ſelect what he called an aukward ſquad, contrary to uſage, law and cuſtom, by which the officers in the ſaid ſquad were degraded and pointed at by thoſe that were not attached thereto; by permitting the ſaid inſpector to act partially, if even the ſquad was lawful, (which is denied) in ſelecting ſome that were as expert or more ſo, than many that remained unnoticed; by ſuffering the ſaid inſpector to hurl or order one of the officers from the ranks, without legal authority for doing ſo, and failing to call the ſaid officer after he was thus hurled out of the ranks, when he acknowledged he ſaw no cauſe that would juſtify his putting the ſaid officer under arreſt, nor did he do ſo until orders came to him from ſeveral commiſſioned officers, which was ſome time after; all of which acts are highly repugnant to the principles of republican decency and the character of an officer. I am, ſ'rs. &c. WILLIAM STARKE, Enſign,

74th Regiment."

When this cauſe came on, I ſuppoſed I had no more to do than prove the charges, which had been abundantly done as to the moſt material of them. Upon the trial of Maj. Winſton and my brother, it was proved over and over again and again, that there were other officers not upon the ſquad as aukward as Lieutenant Starke: it was proved that Lieut. Starke was not under an arreſt when the inſpector ordered him out of the line; it was proved that there never was known a ſelected aukward ſquad before in the county. In order to place one of the charges beyond the reach of doubt, I will in this place give you the teſtimony of Maj Wm. Trueheart himſelf, he being ſummoned by Maj Winſton upon his, Maj. Winſton's, trial, who was charged with having ordered Lieut. Starke out of the ranks, without having arreſted him. This was the only charge againſt the brigade inſpector; but it became neceſſary upon this trial to aſk queſtions relative to the aukward ſquad, in order to juſtify the conduct of the inſpector for this act of diſmiſſing Lieut. Starke in the way he did; and Lieut. Starke alſo aſked queſtions to juſtify his reverſing the motions upon the ſquad. Here is the queſtion alluded to, and its anſwer, taken from the record: Queſtion by the court to Maj. Wm. Trueheart—"Do you believe there was any officer in the line as aukward as Lieut. Starke, who was not taken out and placed in that aukward ſquad?" Anſwer—"I believe there was." From this anſwer it plainly appears, that my charge of partiality is eſtabliſhed by the teſtimony of Maj. Trueheart himſelf, which was given on the trial of Maj. Winſton, and this teſtimony was offered to the court that decided the caſe of Maj Trueheart, but one of the court ſaid it was unconſtitutional, and quoted the clauſe in the conſtitution or bill of rights that ſpeaks of a man's not being bound to give evidence againſt himſelf, ſo that it was gotten over or rejected. With deference to the better judgment of that member and the court, I think the conſtitutional objection had no application to the caſe. I admit that no man is bound to give evidence againſt himſelf; but this was previouſly given, and I think the very beſt that could have been aſked to prove the fact with which the arreſted party ſtood charged. It was offered to be proved on that trial alſo, by witneſſes preſent, that there were others as aukward as Lieut. Starke that were not put upon the ſquad; but a majority of the court decided, that the teſtimony did not apply. If ſuch evidence as this had no application, I know not what could have applied. I am in the belief that the court thought Maj. Winſton had been tried for the ſame charges exhibited againſt Maj. Trueheart; but I repeat it again, Maj. Winſton was arreſted and tried for ordering Lieut. Starke out of the ranks, and for that charge alone. Upon the trial of Lieut. Starke, which happened before that of Maj. Trueheart, the latter was a witneſs again, when Lieut. Starke aſked him the ſame queſtion that had been aſked him by the court that ſat upon the trial of Maj. Winſton: here it is taken from the record, a copy of which is now before me.—"Were there not other officers that were not put on that aukward ſquad, that were as aukward as Lieut. Starke?" Anſ.—"In ſelecting this aukward ſquad, I conceived Maj. Winſton would have taken all the officers out of the line that ought to have been placed on the aukward ſquad, and ſuppoſed him the beſt judge. I ſhould have conceived it my duty, as well as Maj. Starke's, to have ordered out any officer that ought to have been placed there." If the reader will look back to the queſtion on the trial of Maj Winſton and the anſwer, and then look at this queſtion and the anſwer, I think he will conclude that this way of giving teſtimony is not altogether ſo right. The Maj'r. ought to have ſworn to the ſame, at leaſt in ſubſtance, if the words were not the ſame, upon the trial of Lieut. Starke, that he did upon the trial of the brigade inſpector. This kind of teſtimony it was that Lieut. Starke had to weather upon his trial. But again—on the trial of Maj. Trueheart, the court overruled the laſt evidence recorded, upon the conſtitutional ground before ſtated. If they had not done ſo, I don't know how they could have given him the character they did, for he acknowledges incontrovertably that he did not do what he ought to have done, and every perſon that reads this muſt ſay he did not ſwear in the one trial as he had ſworn in the other, in words or ſubſtance; for the firſt goes to prove partiality in the ſelection of the ſquad, and the laſt, to wit, that given on the trial of Lieut. Starke, goes to ſhew that every thing was managed impartially. I'll hint here that Maj. Trueheart was under an arreſt when he gave teſtimony againſt Lieut. Starke, but he was not when he gave evidence in the trial of Maj. Winſton. I can account for this great change no other way. If any man doubts my ſtatement, let him ſtep into the council chamber of this commonwealth and he can get ſatisfied; for I ſuppoſe, ſince I am decried by the court, nay worſe than Brook in their report alluded to before, the world may think unfavorable of me; I can however aſſure thoſe that entertain this opinion, my motives are as friendly towards ſocial intercourſe as any member of that court, and would go as far to promote the organization of our militia. I am one of thoſe however, that think diſtinguiſhing officers by the appellations of aukward ſquad, has a tendency to dampen military ardor, to leſſen a man in his own eſteem, in the eſteem of his fellow men, and finally to deſtroy the inſtitution itſelf. Theſe were the reaſons that operated upon my mind when I arreſted Maj. Trueheart, the opinion of the court to the contrary notwithſtanding: and if the court had ſaid nothing about my motives, I ſhould have ſaid nothing to the public; but their ſentence againſt me was made up when I was not before them, for miſconduct; and if I may quote the conſtitution as well as the court, I think it ſays ſomewhere, that no man ſhall be condemned unheard. I have examined the record, and there is not one word of teſtimony that juſtifies the cenſure of the court that they have beſtowed upon me. No, I again ſay not one letter; yet the law requires that all the evidence be committed to record. If they heard any thing out of doors, it is my opinion, I only ſtate it as the opinion of a cenſured officer, that ſuch information is entitled to no weight.

WILLIAM STARKE.

Virginia:

In the Superior Court of Chancery holden in Richmond.

Between

James Dunlop, *Plt.*

And

David Buchanan, Robert Pollok, Allan Pollok, and Thomas Tredway, merchants and partners under the firms of Robert and Allan Pollok and Company, Pollok, Tredway and Company, and Robert Pollok and Company; and John Pate and Cornelius Pate, ſurviving partners of John and Cornelius Pate and Company; and George Hancock and Mathew Harvey, *Defts.*

THE defendant David Buchanan, not having entered his appearance and given ſecurity according to the act of aſſembly and the rules of this court, and it appearing to the ſatisfaction of the court that he is not an inhabitant of this country: On the motion of the plaintiff by his counſel, *It is ordered*, That the ſaid defendant do appear here on the firſt day of the next term and anſwer the bill of the plaintiff; and that a copy of this order be forthwith inſerted in ſome newſpaper publiſhed in the city of Richmond for two months ſucceſſively, and poſted at the front door of the Capitol in the ſaid city.

A Copy—Teſte,

P. TINSLEY, c. c.

Virginia:

In the Superior Court of Chancery holden in Richmond,

Between

James Dunlop, *Plaintiff,*

And

David Buchanan and Robert Pollok, *Defendants*

THE defendant David Buchanan, not having entered his appearance and given ſecurity according to the act of aſſembly and the rules of this court, and it appearing to the ſatisfaction of the court that he is not an inhabitant of this country: On motion of the plaintiff by his counſel, *It is ordered*, That the ſaid defendant do appear here on the firſt day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inſerted in ſome newſpaper publiſhed in the city of Richmond for two months ſucceſſively, and poſted at the front door of the Capitol in the ſaid city.

A Copy—Teſte, 8w

P. TINSLEY, c. c.

United States of America, fifth Circuit in the Virginia District, May term, 1805.

James Lawſon, *Plt.*

AGAINST

James M'Farlane and Elizabeth his wife, and Richard Smith, adm'rs. of Henry Lockhead, dec. Jane Lockhead, Robert Lawſon Lockhead, Abraham S. Lockhead, and Thomas L. Lockhead, children of Henry Lockhead, dec. George Jenkins and Mary his wife, late Mary Lawſon; —— Lenox and Agneſs his wife late Agneſs Lawſon; Gawin Hamilton, Jacobina Hamilton, and Elizabeth Hamilton and William Hamilton, children of John Hamilton, dec. and John Hamilton, Gawin Hamilton, Thomas Hamilton, Francis Hamilton, Jacobina Hamilton, Elizabeth Hamilton, and Magdelen Hamilton children of Francis Hamilton; and Ezekiel Geeſling, James Calvert and John Jacobs, *Defts.*

IN CHANCERY.

THE defendants Andrew Lenox and Agneſs his wife, not having entered their appearance and given ſecurity according to a rule of this court, and it appearing to the ſatisfaction of the court, that they are not inhabitants of this diſtrict: On the motion of the plaintiff by his counſel, *It is ordered*, That the ſaid defendants do appear here on the firſt day of the next term and anſwer the plaintiff's bill; and that a copy of this order be forthwith inſerted in ſome one of the newſpapers publiſhed in the city of Richmond, and poſted at the front door of the Capitol in the ſaid city. 8w

A Copy—Teſte,

Wm. MARSHALL, Clk.

United States of America, fifth Circuit in the Virginia District, May term, 1805.

Joſephene Morando Le Normand, adm'rx. &c. of Simon Emanuel Julian Le Normand, dec. *Plt.*

AGAINST

Thomas Woodlief, Edmund Ruffin, Edmund Harriſon, Denis Porchez and Fanny his wife, which ſaid Fanny is the only daughter, &c. of Nort Queſnel, dec. and Robert Morris, *Defts.*

IN CHANCERY.

THE defendants Denis Parchez and Fanny his wife, and Robert Morris, not having entered their appearance and given ſecurity according to a rule of this court, and it appearing to the ſatisfaction of the court that they are not inhabitants of this diſtrict: On the motion of the plaintiff by her counſel, *It is ordered* That the ſaid defendants do appear here on the firſt day of the next term and anſwer the plaintiff's bill; and that a copy of this order be forthwith inſerted in ſome one of the newſpapers publiſhed in the city of Richmond for two months ſucceſſively, and poſted at the front door of the Capitol in the ſaid city. 8w

A Copy—Teſte,

Wm. MARSHALL, Clk.

United States of America, fifth Circuit in the Virginia district, May term, 1805.

Charles Harris, George L. Davidſon, and Peter Eppes, ex'ors. of Charles Conner, dec. *Plts.*

AGAINST

John Likley, William Temple, James Brown, and John Wickham, *Defts.*

IN CHANCERY.

THE defendant John Likley not having entered his appearance and given ſecurity according to a rule of this court, and it appearing to the ſatisfaction of the court that he is not an inhabitant of this diſtrict: On the motion of the plaintiffs by their counſel, *It is ordered*, that the ſaid defendant do appear here on the firſt day of the next term, and anſwer the bill of the plaintiffs; and that a copy of this order be forthwith inſerted in ſome one of the newſpapers publiſhed in the city of Richmond for two months ſucceſſively, and poſted at the front door of the Capitol in the ſaid city.

A Copy—Teſte, 8w

Wm. MARSHALL, Clk.

To be Rented,

A SMALL HOUSE on Shockoe Hill, near the loan office, with two rooms below and one above. For terms apply to the ſubſcriber, or in his abſence, to *Archibald Blair.*

JOHN CRINGAN.

June 21, 1805. oawtf

NOTICE.

ALL perſons are hereby cautioned againſt taking an Aſſignment of a Note, executed by me to Stephen W. Gray for the ſum of one hundred and twenty dollars.

MICHAEL ATTYSON.

June 10th, 1805. 1*

NEW-YORK, June 14.

The legiſlature of this ſtate, previouſly to their adjournment the laſt ſeſſion, directed the Attorney General to proſecute James Cheetham the editor of the American Citizen publiſhed in this city, for a libel—imputing to a majority of the legiſlature; venality and corruption in relation to the incorporation of the Merchants Bank.

The Attorney General (ſaith the Citizen) came to this city on Saturday laſt, to preſent to the grand jury the bill of indictment. The Grand Jury accordingly having taken the bill into conſideration, returned it into court *ignoramus*. [QUERY—to Mr. Cheetham—by publiſhing in his paper the names of the grand jury of the Mayor's court, who brought in this *ignoramus* verdict, he will confer a favor on the public.]

The ſhip Frances Ann, from Savanna, and ſloop Dove, from St. Bartholomews, were boarded off the Hook by the Britiſh ſhip of war Leander.

By the Dove, captain Hatch, from St. Bartholomews, we learn, that the Toulon and Spaniſh fleets, conſiſting of 18 ſhips of the line and 10 frigates, having on board 13000 troops, had arrived at Martinique—that ſeveral French ſhips of war were ſeen off St. Lucies; in conſequence of which the Britiſh ſhips in that port ſlipped out, and that one of them had arrived at St. Bartholomews.

A letter of the 21th ult. from St. Bartholomews, by the above ſloop ſays, "Guadaloupe has been embargoed theſe ten days in conſequence of the arrival of another French ſquadron, with a ſtrong armed force. They have juſt commenced active operations which appear, by a veſſel arrived here from St. Lucie yeſterday, firſt to be directed againſt that iſland. As there is at preſent no Engliſh force in this country to cope with them, it is generally believed, that they will attempt the whole Engliſh colonies. The embargo is at preſent general in all the iſlands, and under the circumſtances mentioned, it may be expected to remain for ſome time."

We learn by capt. Davis from Savannah, that the brig Minerva, capt. Newell, had arrived there in 18 days from Falmouth, with information of the arrival of the above ſquadron, to windward: in conſequence of which martial law was proclaimed, and an embargo was to be laid the day after his departure. [The arrival of this fleet could not have been known at Jamaica when capt. Newel failed—but diſpatches may have been received, announcing their eſcape from Toulon, and the probability of their going to the Weſt Indies.]

We are happy to announce the ſafe arrival of the very valuable ſhip America, at Salem, on Friday laſt, from Mocha, and owned by Meſſrs. Crowninſhields. She is ſaid to have for one article on board, 700,000lbs. coffee. *Mer. Adv.*

The Britiſh ſhip of war Leander, was off the Hook yeſterday morning at 20 miles diſtance. It is ſaid ſhe is coming in to port. The Leander has captured three veſſels on this coaſt. *N. Y. pap.*

PHILADELPHIA, June 14.

On comparing the dates and circumſtances it appears that the intended operations of the combined fleet in the Weſt Indies muſt have partially failed.—It will be recollected that the Toulon ſquadron put to ſea in January laſt, about the time that the ſhips from Rochefort ſailed, but was forced, by ſtreſs of weather, to return. The Rochefort ſquadron proceeded to its deſtination and remained ſome time in the Weſt Indies not being joined by the Toulon diviſion it has returned to Europe.

How far this circumſtance may derange, or what delay it may occaſion in executing their plans, remains to be ſeen. Should the force now at Martinique be deemed inſufficient to carry them into effect, and time be thereby afforded the Britiſh fleet to arrive, the principal object of the campaign may be entirely fruſtrated.

At a Court of Quarterly Seſſion, continued and held for the county of Lancaſter on Wedneſday the 22d day of May, 1805;

Richard Mitchell and Dolly his wife, who was Dolly Degge, ſurviving adm'x. of John Degge, deceaſed, pl'ffs.

Againſt

William Yopp and Elias Edmonds, Def'ts.

IN CHANCERY.

THIS day came the plaintiffs by their counſel, and the defendant Yopp not having entered his appearance, and given ſecurity according to law, and the rules of this court, and it appearing to the ſatisfaction of the court, that the ſaid defendant is not an inhabitant of the commonwealth of Virginia: On the motion of the plaintiffs, by their counſel, *It is ordered*, That the ſaid defendant appear here on the third Monday in Auguſt next, and anſwer the bill of the plaintiffs: and it is further ordered, that the defendant Edmonds, do not pay, convey away, or ſecrete, the money or effects in his hands belonging to the other def't. Yopp, until the further order and decree of this court concerning the ſame; and that a copy of this order be forthwith inſerted in the Virginia Gazette for two months ſucceſſively, and another poſted at the front door of the court-houſe of this county.

A Copy—Teſte, 8w

S. TOWLES, c. l. c.

Valuable Property for Sale.

Will be Sold to the higheſt bidder, on the premiſes, on Friday the 12th day of July next,

THE TENEMENT formerly occupied by James Harris, belonging to the James River Company, lying within half a mile of the city of Richmond, containing one acre of land, with a dwelling houſe thereon, which with a ſmall expence may be made to accommodate a family comfortably. This tenement borders on the canal, and has the advantage of an excellent ſpring of water; and affords a proſpect not ſurpaſſed by any in the neighborhood of this city.

A credit of twelve months will be allowed the purchaſer, on giving bond with approved ſecurity.

By order of the Preſident and Directors.

ROBERT POLLARD.

Richmond, June 20, 1805.

This day is Publiſhed,

And may be had at this Printing-Office, COURTNEY'S *Second Edition of*

HYMNS & SPIRITUAL SONGS

This Pocket Hymn Book, contains one hundred and eighty-one of the moſt approved HYMNS, on various occaſions, by different authors:—And one hundred and twenty-eight pages of Choice SPIRITUAL SONGS, admirably adapted to the various ſtates and conditions of men.

June 22.

STRAYED OR STOLEN

FROM the ſubſcriber on the firſt day of June, a black HORSE, about 5 feet hi h 3 years old, thin mane and tail, and a few ſaddle ſpots—alſo a ſmall hole in his right hoof. Any perſon delivering the ſaid horſe to the ſubſcriber, ſhall be handſomely rewarded by ROBERT CRUMPTON.

Richmond, June 13, 1805. 1*

THE SUBSCRIBER,

DESIROUS *to close his business in this place, as soon as possible, is induced to offer for sale, the following* VALUABLE PROPERTY, viz.—

A convenient two story Dwelling House, 24 feet square, having one room and a passage on the lower floor, two rooms on the second floor, and two good rooms in the garret; a cellar with plank floor, and divided into three apartments, one used for cooking; the yard inclosed with a brick wall seven feet high—the whole in good repair.—This tenement is situated near the Bell Tavern, on the cross street leading to the Rock Landing, and is insured in the Mutual Insurance Company against Fire in the state of Virginia, and the premiums paid.

Eleven unimproved half acre Lots, on Shockoe Hill.

600 *acres Military Land in Kenhawa county, on the waters of Old Town creek, a branch of Ohio river, being part of a grant made to George Muse, Adam Stevens, Andrew Lewis, and others, in the year* 1772.

25 *tracts of Land in Montgomery county, containing* 32,172¾ *acres, the whole patented in my name,* viz.

4,000 *acres surveyed 3d April,* 1786, *in Montgomery county, on Cole river.*

3080 *acres surveyed 24th July,* 1786, *in same county, on Sixteen Mile creek, adjoining the late gen. Washington's survey on Kenhawa river.*

3062¾ *acres surveyed 23d July,* 1786, *in same county, on the Loop waters, waters of New river.*

1000 *acres surveyed 13th May,* 1786, *in same county, on the Ohio river.*

3210 *acres surveyed 5th April,* 1786, *in same county, south of a creek running into Cole river.*

2138 *acres surveyed 21st February,* 1787, *in same county, on Cole river.*

320 *acres, surveyed 3d February,* 1787, *in same county, on the waters of Cooper's Creek and Little Blue Stone.*

1300 *acres, surveyed 16th February,* 1787, *in same county, on the head waters of the South Fork of Cole river, that heads against Guyandott.*

95 *acres, surveyed 10th February,* 1787, *in same county, on the head waters of Glade creek.*

78 *acres, surveyed 8th February,* 1787, *in same county, on a branch emptying into Glade creek, on the south side of the same, and about one mile above the ford of said creek.*

500 *acres, surveyed 10th February,* 1787, *in same county, on the North fork of Mud river, that heads against the Guyandott.*

1500 *acres, surveyed 12th May,* 1786, *in same county, on the Ohio river.*

2000 *acres, surveyed 8th May,* 1786, *in same county, on the Great Kenhawa.*

1000 *acres, surveyed 16th May,* 1786, *in same county, and on same river.*

263 *acres, surveyed 8th February,* 1787, *in same county, on the head of Glade creek.*

214 *acres, surveyed 7th Feb.* 1787, *in same county, on the waters of Glade creek, on the south side thereof.*

135 *acres, surveyed 6th February,* 1787, *in same county, on the west end of Joe's Ridge, and on the waters of Glade creek.*

154 *acres, surveyed 6th February,* 1787, *in same county, on Joe's Ridge.*

228 *acres, surveyed 6th February,* 1787, *in same county, on Joe's Ridge, and the waters of Glade and Cooper's creek.*

414 *acres, surveyed 22d February,* 1787, *in same county, on the second fork of Cole river, on the road crossing from Pinny river to Guyandott.*

2000 *acres, surveyed 26th February,* 1787, *in same county, under the big pipe Stem Knob, and running down both sides of the creek.*

416 *acres surveyed 4th February,* 1787, *in same county, on the waters of Cooper's creek and Joe's Ridge.*

380 *acres surveyed 3d February,* 1787, *in same county, on the head waters of Cooper's creek.*

3,338 *acres by survey 20th February,* 1787, *in same county, on the south fork of Cole river.*

1,345 *acres by survey 2d February* 1787, *in same county, on the head waters of little Blue Stone, about half a mile north from the white oak lick.*

Three tracts of land in Monongalia county, patented in my name, viz:

350 *acres by survey 1st June,* 1796, *in Monongalia county, adjoining Matthew Richey's land, and the Randolph county line, on the waters of Cheat river.*

400 *acres surveyed 20th October,* 1797, *in same county, adjoining lands of Abner Harper, above the mouth of White-day creek.*

400 *acres surveyed 15th November,* 1797, *in same county, adjoining Peter Drago, on Finches run, to include an improvement made in the year* 1773.

1000 *acres in same county, on the west of cheat-river, above the lands of Thomas Butler.*

800 *acres in same county, on Buffaloe creek, on a pre-emption right of David Gray.*

250 *acres in Greenbrier county, on Little deer creek, adjoining lands of Joseph McClung.*

891 *acres in Montgomery county, surveyed 1st August* 1787, *on the waters of Pinney river and Paint creek, waters of Kenhawa river.*

435 *acres in Montgomery county, surveyed 30th June,* 1786, *joining the lands of Joseph Eaton, Richard Muse, and James McCorcle.*

230 *acres in Wythe county, surveyed 4th November,* 1795, *on the lead mine mill creek.*

180 *acres in Albemarle county, patent, dated 5th July* 1787, *on William Hill's creek, waters of Buck Island creek.*

One undivided moiety of five lots, in the Town of Winchester, No's. 89, 90, 100, 101 *and* 109.

The above will be sold very low, and the terms made known on application to

Wm. AUSTIN.

Richmond, April 4th, 1805.

LAND for Sale.

THE Subscribers living in this place, have for sale, a Tract of LAND lying in the county of Louisa, and adjoining Yancyville, containing 214 1-2 acres, more or less. The land is well timbered, and the same which was sold under a deed of trust from Francis Lockitt, deceased. A credit of one year will be given the purchaser, on securing the payment, bearing interest from the date if not punctually paid.

LYLE & McCREDIE.

Manchester, 1st June, 1805. w

LAND FOR SALE.

IN pursuance of an order of the High Court of Chancery for the Richmond district, will be sold at Public Auction, on Monday the 15th day of July next, on the premises A VALUABLE TRACT OF LAND, on the little Bird Creek, in the county of Goochland, belonging to the estate of the late William Anderson, of London dec'd. and known by the name of Maffies, containing by a late survey 2312 1-2 acres, divided into four lots of nearly equal extent. About two thirds of the tract, is now in woods, which is good Tobacco land, and the part cleared, has been but little worn.

Terms of sale, will be one fourth in ready money, and three annual instalments for the balance. Bond with approved security, and a deed of trust upon the land will be required, to carry interest from the date, if not punctually paid.

Those inclined to view the land before the day of sale, will be shewn it by Mr. George Toler or Mr. William Toler adjoining, who can give information of the manner in which the lots are laid off.

BENJAMIN TOLER

Agent in fact, for the Executors of

WILLIAM ANDERSON, deceas'd.

Hanover, June 3d, 1805.

Land to be Rented.

I WILL rent at New-Market, 5500 acres of LAND for a term of seven years, part of which is in condition for farming. I will also rent near Orange Court-House, 2000 acres, for a term of seven years. The conditions may be known by an application to

JOHN BAYLOR.

June 11. 2m

For Sale,

YARMOUTH,

LYING in James City county, on Chickahomony River, ten miles from Williamsburg. The improvements are, a two story brick house, with two rooms and a passage above and below; porticoes on each side; a large and capacious barn, and three other out-houses. The whole tract, including an Island, in view of the house, high and low land with marshes, contains about 2700 acres; scarcely one third of which is cleared. Two thirds of the Island is arable, which, with the land adjoining the house, is of superior quality. Adjacent to the Island are two bold and navigable creeks, with a convenient landing to each. The range for cattle is very extensive, and the marshes and meadows will supply an abundance of hay. Fish and wild fowl, in their respective seasons, may with ease be obtained at your door. The orchards, consisting of the greatest variety of all kinds of fruit, selected with care, are now in their prime. The terms will be made known by William Lee Ball, of Richmond, William Randolph, of Wilton, or the subscriber. PEYTON RANDOLPH, Jun.

For ELIZ. INNES.

November 6th, 1804.—(2wN.—law.D.&J.2am.af.tf.

For Sale, or Lease,

THAT large and convenient TAVERN, situated in the centre of the town of Lynchburg, at the corner of the street leading to the court house and jail, and not more than thirty yards from both, opposite Lynch's warehouse and the street leading from the ferry in the said town. The tavern contains four rooms and a bar on the first floor, including two very large rooms, suitable for a ball and dining room, with a sliding partition to the ball room. The second floor contains six rooms, one the size of the ball room, and the others suitable for lodging rooms, with an excellent garret. This tavern has a large portico the full length of the house, also a good dry cellar, and a well opposite the door, together with a kitchen, smokehouse, dairy, and a stable with twenty two stalls therein, with a spacious garden and yard leading to the stable.—— Other improvements will be made to suit the purchaser or leaser. It is deemed unnecessary to state the great value of the above property, or say more as to the advantage arising from so central and eligible a stand for a tavern, as it is presumed no person would be inclined to purchase or lease the same without viewing the premises, there being no doubt but they would be better satisfied after seeing the convenient situation, than any information they could get from this advertisement.

A liberal credit will be given to any person desirous of the purchase, or an advantageous lease.

For further particulars apply to William Rose, jr. Richmond, or the subscriber residing about three miles from Lynchburg.

SAMUEL SCOTT.

Tobacco Land for Sale.

IN Amherst county, on Horseley's creek, 509 acres of rich TOBACCO LAND, formerly the property of Mr. Daniel Warwick, and known by the name of Wincanton.—This land has the advantage of lying on the main road leading from Amherst courthouse to Waugh's ferry on James river, is a valuable stand for a country store, with a framed house for that purpose, entirely new and sufficiently large, having two rooms below and two above stairs, with a good brick chimney, and well underpinn'd with brick; also, a lumber house sixteen feet square, with a cellar of its full size wall'd up with stone—there is also a taylor's and saddler's shop, and other out houses; likewise a tolerable good dwelling house, with three rooms below and two above stairs; a kitchen, dairy and other out houses within a mile of the store, suitable for a private family. On this tract of land there is about twenty-five acres cleared, all of which is fresh and in good order for cultivation; it has also the advantage of being only seven miles from Bethel where there is an inspection of tobacco, and within eighteen miles of Lynchburg.—As it is presumed no person will be inclined to purchase the above without reviewing the premises, they will be shewn by Messrs. Taliaferros & Loving who live within a few miles of Wincanton, and fully empowered to make sale, and the terms of payment may be known from them; as also on application to

GILLIAT & KIRBY.

Richmond, March 19th, 1805.

THE above tract of Land and Improvements, will be offered for Sale at Amherst Court House, on Monday the 15th of July next, (being Court day,) on a credit of six, twelve, and eighteen months. A Deed of Trust will be required on the premises, or satisfactory security for punctual payment.

Gilliat & Kirby.

(sawtds)

LOTS FOR SALE.

THE LOTS Nos. 39, 38 and 37, in Duval's Plan, are offered for sale.—Application to be made to J. WOOD, Surveyor for the City.

NOTICE.

RICHARD Apperson, Esq. Attorney at Law, is appointed an Agent, to collect the balances due for the Virginia Gazette, in the counties of Charlotte, Halifax, and Pittsylvania—and Mr. Hardin Davis, has the collection of balances in the counties of Albemarle, Amherst, Augusta, and Rockbridge. Those who are in arrears, it is hoped, will be prepared to make payment on application.

NOTICE.

ALL persons indebted to the late firm of *Buchanan, Dunlop & Co.* of Petersburg, *Robert Pollok & Co.* of Richmond, and *Dunlop, Pollok & Co* of Manchester, are hereby notified, that JAMES DUNLOP, late a partner in the above concerns, has become purchaser of all the outstanding debts: They will therefore be pleased to make payment to Mr. JOHN TOMPKINS, residing in Richmond, or the subscriber, residing in Petersburg—who alone are authorised to make collections, and grant discharges. Suits will be indiscriminately commenced against all who do not make payment before the 1st February next.

JOHN DUNLOP,

Attorney for JAMES DUNLOP.

Petersburg, Nov. 15, 1804.

J. TOMPKINS,

RESPECTFULLY informs those concerned, that he has removed the BOOKS and PAPERS of the late concern of ROBERT POLLOK & Co. and DUNLOP POLLOK & Co. to a new brick house near the Basin, and directly opposite to the Scale-House—

Where he has for Sale.

A few Pipes of old Cogniac Brandy,

of superior quality.

Richmond, December 12th, 1804

NOTICE.

THE COPARTNERSHIP OF

ROBERT GAMBLE & SONS,

WILL BE DISSOLVED

BY mutual consent, on Saturday the 11*th instant.*—All persons indebted to the said *firm*, are earnestly entreated to make immediate payment to *either* of the subscribers. A compliance with this request, will prevent the painful necessity of resorting to coercive measures.

The Books will be placed in the possession of Messrs. John & Robert Gamble, Jun'r, who are authorized to settle all accounts due *by or to the concern.*

ROBERT CAMBLE,
JOHN G. GAMBLE,
ROBERT GAMBLE, JUN'R.

Richmond, May 6th, 1805.

THE SUBSCRIBERS take this method of informing their friends and the public, that they intend carrying on the Mercantile business, under the firm of

John & Robert Gamble, Jun.

They are now receiving by the ship Rolla, a choice selection of London GOODS, and daily expect from Liverpool a general assortment of Hardware, &c. suitable for the season, which will be sold by the piece, package, or dozen, on the most moderate terms, for cash, merchantable country produce, or on the usual credit to substantial and *punctual customers.*

They have on hand, Madeira and Sherry Wine, West-India Rum, Cogniac Brandy, Whiskey, Sugar, Pepper, Allum Copperas and, Brimstone, (in pipes hhds. and casks,) Cotton and Wool Cards, patent Shot, Steel, Bar Iron, Hollow Iron Ware, German Scythes, Cutting Knives and Whetstones, Oznaburgs, Ticklenburgs, and Brown Hessians, Snuff, Cut Herrings, &c. They also possess large and convenient *Brick* Warehouses covered with *Slate*, for receiving and storing Flour, Tobacco, &c.—Those gentlemen who favor them with consignments, will find their charges reasonable; and may rely on their best exertions to afford satisfaction.

☞ The highest rates given for good Bees-wax, Bear, Deer, and Otter Skins, and other shipping Furr.

JOHN G. GAMBLE,
ROBERT GAMBLE, JUN'R

THE SUBSCRIBER (*Robert Gamble, Sen.*) avails himself of this opportunity, to thank his numerous friends for the large share of patronage he has received in the mercantile line, and hereby tenders to the public, his future services as a *COMMISSION MERCHANT*. He flatters himself his long experience (with other circumstances unnecessary here to mention) entitles him to the confidence of those who may have business of that nature to transact in this city; assuring such, of his best endeavors to merit approbation.

Those who yet remain indebted to the late firms of Gamble & Gratton, of Staunton; of Gamble & Temple, Robert Gamble & Co. and Robert Gamble, of the city of Richmond, are oncemore earnestly requested to make *immediate* payment of their respective balances—such as continue regardless of this last notice, cannot expect longer indulgence.

(tf.) ROBERT GAMBLE.

GILLIAT & KIRBY,

Have just received by the late arrivals from London and Liverpool,

A GENERAL ASSORTMENT OF

SPRING GOODS,

Which they are now selling at their usual low prices, for cash, or country produce.

May 1805.

ELLIS & ALLAN,

Have received by the Rolla from London, part of their

SPRING GOODS,

amongst which are the following articles:

LONDON Superfine Cloths and Cassimeres,
Quiltings and Dimities,
Handsome fashionable worked and laced Muslins,
3-4, 8-4 and 10-4 Diapers,
8-4, 8-10 and 10-16 Damask Table Cloths,
Gentlemen's white and brown Cotton Stockings,
Ladies' elegant laced white do.
Do. Tortoise-shell bent and braid Combs,
Chintzes, Calicoes and Furniture,
Gentlemen's black fashionable Hats,
Do. drab beaver do.
Do. do. patent silk do.
Umbrellas,
Boys' Morocco Caps, plain and furr'd,
Best Hemp Rolls,
English White Lead, Spanish Brown, Yellow Ochre, ground in oil, and Verdigrease,
Prussian and Fig Blue,
Best Boiled Oil in jars,
Durham Mustard, &c. &c.

Which added to their present stock, and those expected (daily) from Liverpool, will render their assortment general.

May 7th, 1805. (eotf.)

WHISKEY.

Taliaferro & Dickenson,

(*Near the Basin*)

Keep a constant supply of WHISKEY, distilled West of the Blue Ridge.

June 7, 1805. eplm.

IRISH LINENS, &c.

We have received by the late arrivals, an extensive assortment of

7-8 and 4-4 Irish Linens.
5-4 Irish Sheetings.
3-4 and 8-4 Diapers & Diaper Table Cloths.

Which, with an additional assortment of other

GOODS,

Are offered for sale at our usual low prices.

GILLIAT & KIRBY.

Richmond, June 14, 1805. 4w.

BROKER's OFFICE.

The Subscriber has opened a

Broker's Office,

OPPOSITE the Union Tavern and over the counting-house of Messrs. Thomas & Amos Ladd. All business confided to him will be transacted with strict fidelity.

THOMAS NORVELL.

Richmond, March 11, 1805. tf

HE HAS FOR SALE,

A few Shares

IN THE

Manchester Turnpike;

ALSO,

State Certificates,

Bearing six per cent. interest.

Broker's Office.

THE subscriber informs the Citizens of Richmond and the public in general, that he has taken the house, next door to Mr. William Austin's, lower end of the Basin, where he transacts the BROKERAGE and COMMISSION BUSINESS in all their various branches. From his general knowledge of business, aided by his attention and solicitude for the interest of those who may please to favor him with their commands, hopes to participate in the confidence of a generous public. He pledges himself that no exertions of his shall be wanting to give the utmost satisfaction.

GEORGE WILY.

June 18. (eptf)

THE subscriber begs leave to inform his friends and the public at large, that he has obtained a commission for the exercise of the duties of a NOTARY PUBLIC, in and for this city; and that any business committed to him shall meet with prompt dispatch.

SAMUEL M'CRAW.

June 18. 4t

JOHN SPINDLER

RESPECTFULLY informs the Ladies and Gentlemen of Richmond, that he intends to teach DRAWING, PAINTING in Oil, Colour and Crayons—and would instruct 6 or 8 Pupils in these branches, either by waiting on them, or at his house opposite Thomas Wilson's, esq. back street.

N. B. Sign, House and Military Colours, painted by J. S.—☞ Orders from the country punctually attended to. January 1, 1805.

DOCTOR WILSON

Has removed his *Apothecary Shop* to the lower floor of the Bell Tavern, where he has a general supply of

MEDICINES,

And other articles in the Apothecary line—among which are,

Peruvian Bark.	Manna.
Colombo.	Senna.
Augustura.	Glauber Salts.
Cascarilla.	Opium.
Simarouba.	Ipecacuanha.
Camomile Flowers.	Tartar Emetic.
Castor Oil.	Salt of Tartar.
Rhubarb.	Cream of Tartar.
Jalap.	&c. &c. &c.
Calomel.	

Also,

PAINTERS' COLOURS,

AMONG WHICH ARE

Red and white Lead.	Verdigrise.
Spanish Brown.	Prussian Blue.
Yellow Ochre.	Drop Lake.
Flake White.	Patent Yellow.
Spanish Whiting.	&c. &c. &c.

He takes the liberty to observe, that every article of Medicine in his shop is of that quality only which he uses in his practice as a physician: that before he professed the practice of physic, he had the honor to have the degree of Doctor of Medicine conferred on him in the University of Pennsylvania: hence he presumes that his pretensions to judge of the quality of Medicine are at least respectable.

Physicians, Merchants, and others, who may be pleased to patronize him, shall have their orders put up on the lowest terms.

☞ Persons of needy circumstances will be prescribed for, GRATIS, by paying the retail price of his Medicines

Richmond, May 14, 1805.

Sales at Auction.

Will be sold, on the premises, on Wednesday the 3d day of July next,

A LOT on Shockoe Hill, No. 594, adjoining the Lot whereon Mr. Sam Greenhow lives. The terms of sale will be, one hundred pounds cash, the remainder in twelve months, to secure which a deed of trust upon the Lot will be expected.

THOMAS TAYLOR & Co. v. m.

June 12, 1805.

Public Sale.

By virtue of a deed of trust executed by Thomas Appleby, recorded in the court of Fluvanna county to the subscribers for the purpose of securing the payment of a debt due to Duncan M'Laughlan & Co. *WILL BE SOLD* at John Napier's tavern, in the town of Columbia, on the 20th day of July next, to the highest bidder for cash,

FIVE Negro Slaves, eight Horned Cattle, two Horses and one Mare, three Feather Beds and Furniture, and sixteen Hogs, with the increase of the said female slaves and stock, since the year 1793, or so much thereof as will be sufficient to raise the sum of three hundred and thirty three pounds, one shilling and ten pence, with interest from the 4th day of February, 1795, till paid, and costs and charges.

ROBERT HILL,
CRAVEN PEYTON,
JOHN TIMBERLAKE,
and
ROBERT QUARLES,

Fluvanna, June 6th, 1805. law4w